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Date 25 January 2002Number of pages 2 (including cover page)to: Name Renata B. Hesse
Company U.S. Dept. of Justicefrom: Name Clyde G. Roby
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Comments

I am vigorously opposed to the proposed
final judgment in U.S. vs. Microsoft.

January 25, 2002

Dear Renata Hesse:

I am **vigorously opposed** to the proposed final judgment (penalty phase) in the case of United States vs Microsoft. The proposed "remedies" seem to be carefully written to ease circumvention of that judgment!

Microsoft has frightened many companies in the US computer industry so that they do not even compete with Microsoft. This effectively is a loss for the US citizen because many innovative products may no longer come to the marketplace. The final judgment does not seem to aid the US citizen or competitive companies at all.

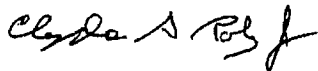
The current judgment must be expanded! There must be easily available public access to all information necessary for interoperability with Microsoft's products. **All** interfaces, not only certain APIs, **must be made public**.

One of Microsoft's prime competitors is "open source software". Therefore, any judgment must ensure that developers of open source software have equal access to pertinent information – without interference – especially in the form of royalty payments and non-disclosure agreements.

The current judgment must also be expanded so that competitive sales organizations are free to sell their competing products. Microsoft's product prices must be based strictly on volume. They must be unbundled additional-cost options, especially in the purchase of new computers, so that customers who do not wish to purchase Microsoft products are not forced to do so. Microsoft's agreements with resellers must be made public and kept public, to prevent secret agreements from damaging the public. I remember the government's anti-trust case against IBM a few decades ago – unbundling worked then, and it can work again now!

It is extremely dangerous to allow Microsoft to flagrantly disregard the law. I urge you to require a real final judgment that actually inhibits future illegal activities.

Thank you for your consideration.



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